IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

§	
§	
§ e	
8	
8	
§	
§	No. 5:19-cv-50-OLG
§	
§	
§	
§	
§	
§	
	\$ \$ \$ \$

STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

Plaintiff NEC Networks, LLC d/b/a CaptureRx ("CaptureRx") and Defendants CVS Health Corporation, CVS Pharmacy, Inc., Caremark PhC, L.L.C., Caremark RX, L.L.C., and Wellpartner, LLC, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate to the dismissal, with prejudice, of all claims against Defendants CVS Health Corporation, CVS Pharmacy, Inc., Caremark PhC, L.L.C., Caremark RX, L.L.C., and/or Wellpartner, LLC.

The parties shall bear their own attorney's fees and costs.

STIPULATED AND AGREED TO

ON: January 22, 2020

DYKEMA GOSSETT PLLC 112 East Pecan Street, Suite 1800 San Antonio, TX 78205 (210) 554-5500 - Telephone (210) 226-8395 - Telecopier

/s/ Ryan J. Sullivan

C. David Kinder State Bar No. 11432550 William (Butch) Hulse State Bar No. 24010118 Ryan J. Sullivan State Bar No. 24102548 whulse@dykema.com dkinder@dykema.com sullivan@dykema.com

/s/Howard B. Iwrey

Howard B. Iwrey (Admitted pro hac vice)
DYKEMA GOSSETT PLLC
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48305
(248) 203-0526 – Telephone
(855) 232-1791 – Telecopier
hiwrey@dykema.com

Counsel for Plaintiff

/s/ David M. Prichard (with permission)

David M. Prichard State Bar No. 16317900 Prichard Young, LLP 10101 Reunion Place, Suite 600 San Antonio, Texas 78216

Tel: 210-477-7401 Fax: 210-477-7451

dprichard@prichardyoungllp.com

/s/ Jonathan B. Pitt (with permission)

Enu Mainigi
Jonathan B. Pitt
Katherine Trefz
Andrew Watts
Thomas Ryan
Williams & Conf

Williams & Connolly LLP 725 Twelfth Street. N.W., Washington, DC 20005 Tel: 202-434-5000

Fax: 202-434-5029 EMainigi@wc.com JPitt@wc.com KTrefz@wc.com AWatts@wc.com TRyan@wc.com

/s/ Michael G. Cowie (with permission)

Michael G. Cowie Konstantin Medvedovsky Dechert LLP 1900 K Street NW #1200 Washington, DC 20006 202-261-3339 Fax: 202-261-3333 Mike.Cowie@dechert.com

Konstantin.Medvedovsky@dechert.com

Counsel for Defendants